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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA, } No. CR-08-00237-EMC
15 Plaintiff, } STIPULATION AND [PROPOSED]
16 Vs. } ORDER WAIVING DEFENDANT'S
17 DAVID NOSAL, } APPEARANCE FOR FEBRUARY 27, 2013
18 Defendant. } MOTION HEARING
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Defendant David Nosal, by and through his attorney, Steven Gruel, hereby applies, and the
United States of America, by and through its attorney, Kyle Waldinger, hereby stipulates, that
based upon his accompanying waiver, this Court waive Mr. Nosal's personal presence at the
motion hearing currently scheduled for February 27, 2013, at 3:00 p.m. in accordance with
Federal Rule of Criminal Procedure 43.

STIPULATION AND [PROPOSED] ORDER

1 WAIVER OF DEFENDANT'S PRESENCE
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3 Pursuant to Federal Rules of Criminal Procedure 43, defendant David Nosal hereby waives
4 his right to be present in open court at the upcoming motion hearing, scheduled for February 27,
5 2013, at 3:00 p.m. Mr. Nosal requests that the Court proceed during his absence and agrees that
6 his interests will be deemed represented at all times by the presence of his attorneys, the same as
7 if he were personally present.

8 DATED:



9 DAVID NOSAL
10 Defendant

11 SO STIPULATED:



12 STEVEN F. GRUEL,
13 Attorney for David Nosal

14 DATED: 02/26/2013


15 KYLE WALDINGER
16 Assistant United States Attorney

17 STIPULATION AND [PROPOSED] ORDER
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1
2 [PROPOSED] ORDER

3 Upon application and waiver of the defendant, David Nosal, and the stipulation set forth
4 above, good cause appearing, IT IS HEREBY ORDERED that defendant David Nosal's personal
5 presence on February 27, 2013, at 3:00 p.m. shall be waived in accordance with Federal Rule of
6 Criminal Procedure 43.

7 IT IS SO ORDERED.

8 DATED: 2/27/13



STIPULATION AND [PROPOSED] ORDER